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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	CR. NO. S-97-054 WBS
)	
Plaintiff,)	GOVERNMENT'S REQUEST FOR
)	EXTENSION OF TIME TO FILE
v.)	OPPOSITION TO MOTION TO
)	WITHDRAW GUILTY PLEA
TANH HUU LAM,)	
)	
Defendant.)	DATE: No Hearing Set
)	JUDGE: Hon. William B. Shubb

For the reasons set forth below, the United States respectfully requests a one week extension of time in which to file its brief in opposition to the defendant's Motion to Withdraw Guilty.

1. On May 18, 2009, the defendant filed his Motion to Invalidate Plea of Guilty.

2. By order dated May 20, 2009, this court ordered the government to respond by June 22, 2009.

3. The defendant is currently serving the sentence of life without possibility of release imposed by this court.

4. I have reviewed the defendant's brief and it appears that the defendant raises no issues that have not already been

1 raised, or could have been raised, in his prior appeal, and three
2 prior post-appeal collateral attacks. Additionally, the asserted
3 basis for relief - Federal Rule of Criminal Procedure 11(e) -
4 does not appear to be an appropriate remedy that may be used at
5 this stage of the proceedings.

6 5. On May 20, 2009, the date of this court's order, I
7 commenced a jury trial in United States v. Kalfsbeek, Cr. No. S-
8 05-0128 LKK. That trial concluded on June 11, 2009, which gave
9 me just six business days to prepare the government's response to
10 the defendant's motion. I have substantially completed the
11 government's response but I believe that the brief could benefit
12 by some additional research. Accordingly, I respectfully request
13 an additional week to file the government's brief.

14 DATED: June 23, 2009

15 Respectfully submitted,


16 LAWRENCE G. BROWN
17 Acting United States Attorney

18 By: s/ R. Steven Lapham
19 R. STEVEN LAPHAM
20 Assistant U.S. Attorney

21 O R D E R

22 Good cause appearing therefor, it is hereby ordered that the
23 government shall have until June 29, 2009, in which to file its
24 brief in opposition to the defendant's Motion to Invalidate Plea
25 of Guilty.

26 DATED: June 23, 2009

27 
WILLIAM B. SHUBB
28 UNITED STATES DISTRICT JUDGE